

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6268**

**BILL NUMBER:** SB 113

**NOTE PREPARED:** Feb 20, 2012

**BILL AMENDED:** Feb 20, 2012

**SUBJECT:** Golf Carts in Unincorporated Areas.

**FIRST AUTHOR:** Sen. Holdman

**FIRST SPONSOR:** Rep. Lehman

**BILL STATUS:** 2<sup>nd</sup> Reading - 2<sup>nd</sup> House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill revises provisions governing the use of golf carts on certain roadways. The bill provides that an ordinance authorizing the use of golf carts in a county must: (1) require that an individual who operates a golf cart in the county hold a driver's license; (2) provide that a fine assessed for a violation of the ordinance be deposited in the general fund of the county; (3) must allow the use of golf carts on a highway under the jurisdiction of the county or on a highway in the state highway system from sunset to sunrise if the golf carts have working headlights and taillights in use; and (4) must set a limit as to the number of passengers (other than the operator) that may be permitted on a golf cart. The bill also specifies that a violation of an ordinance governing the use of a golf cart on a state highway in a county is considered an ordinance violation (instead of a Class C infraction).

**Effective Date:** July 1, 2012.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Reduction in Revenue from Judgments:* Currently, individuals who violate a city or town ordinance that governs the operation of a golf cart on a state highway commit a Class C infraction. Under the bill, individuals who violate a city, county, or town ordinance that governs the use of golf carts on a state highway would no longer be considered a Class C infraction, but a local ordinance violation. Revenue from ordinance violations is required to be deposited into the general fund of the city, county, or town. This bill will reduce state revenue to the extent operators of golf carts were previously convicted of committing a Class C infraction.

The maximum judgment for a Class C infraction is \$500 and is deposited into the state General Fund. Actual decreases in revenue are expected to be small.

*Potential License Fees:* Requiring the operator of a golf cart to possess a driver's license may increase the number of driver's licenses in the state. The fee for a driver's license is \$21. The following funds are affected.

Distribution of Driver's License Fee	Fee
Motor Vehicle Highway Account (MVHA)	\$6.00
Crossroads 2000 Fund	\$3.00
BMV Tech Fund	\$0.50
Anti-Terrorism	\$1.25
Bureau of Motor Vehicles Commission (BMVC)	\$10.25
TOTAL	\$21.00

*Background Information:* The number of golf carts in Indiana is not known. Additionally, the BMV does not maintain moving violation information involving golf carts.

The Motor Vehicle Highway Account may be used for road construction, reconstruction, and maintenance for cities, towns, and counties. The MVHA also supports entirely the operation of the Bureau of Motor Vehicles, a significant part of the operation of the Department of Transportation, about 61% of the operation of the State Police, and part of the operation of the state Department of Revenue.

The Crossroads 2000 Fund supports highway bonding.

The BMV Tech Fund supports technology for the Bureau of Motor Vehicles.

The Anti-Terrorism fee supports the Integrated Public Safety Commission (IPSC). The IPSC operates Project Hoosier SAFE-T. Project Hoosier SAFE-T (Safety Acting For Everyone-Together) is an initiative of the IPSC. The Commission works with local, state, and federal public safety agencies to implement a statewide, interoperable, digital, 800 MHz trunked voice and mobile data communications network for public safety officials. SAFE-T will provide 95% statewide mobile coverage through a baseline design of 126 communication sites. SAFE-T seeks to replace inadequate, obsolete, and incompatible communications systems and allow interagency coordination and response to routine, emergency, and catastrophic events. Public safety agencies independently choose whether or not to participate in SAFE-T.

The BMVC is supported by the state License Branch Fund, which operates the license branches throughout the state.

#### **Explanation of Local Expenditures:**

**Explanation of Local Revenues:** Any fines assessed for a violation of a traffic ordinance adopted by a city, county, or town under this bill are to be deposited into the general fund of the respective local political subdivision.

**State Agencies Affected:** Department of Transportation; Bureau of Motor Vehicles; State Police; Department of Revenue, all as recipients of MVHA distributions.

**Local Agencies Affected:** Counties which adopt the traffic ordinance regarding the use of golf carts.

**Information Sources:** Sarah Meyer, BMV.

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